

Decision No. 7195

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of CHARLES G. PATRICK as Receiver
of IMPERIAL UTILITIES CORPORATION
for an order authorizing the issue
of promissory notes on behalf of
said corporation.)
Application No. 5263.)

L. M. Chapman for applicant.

BY THE COMMISSION:

O P I N I O N

Charles G. Patrick, receiver of the properties of Imperial Utilities Corporation, asks permission to issue 7 percent unsecured notes in the aggregate sum of \$14,040.67 payable in monthly installments of \$1000 each, the first payment being due April 1, 1920.

A public hearing was held by Examiner Westover at Los Angeles.

Imperial Utilities Corporation prior to the appointment of a receiver on December 2, 1919, was engaged in operating water plants at Calipatria and Niland, Imperial County, at Monterey Park, a suburb of Los Angeles, and at Barstow, San Bernardino County, and was also engaged in the manufacture and sale of ice at Barstow. A report filed with the

Commission shows that the company during 1919 had 206 consumers at Barstow, 230 at Calipatria, 26 at Niland and 892 at Monterey Park.

Applicant reports that from December 31, 1918 to December 31, 1919, extensions, additions and betterments to plant, costing \$26,864.92, were installed. The record shows that the stockholders had planned to finance the cost of such additions to capital through advances or assessments upon capital stock, but that disagreements occurred as to carrying out such plan, which finally resulted in the filing of a friendly suit by a majority of the bondholders to foreclose the mortgage securing the pay^{ment}/of \$93,500 face value of bonds.

It appears from the testimony that an agreement has been reached between the plaintiff in the foreclosure proceeding, the receiver and the unsecured creditors, by which subject to the approval and authority of the Superior Court in and for San Bernardino County, which appointed the receiver, and of the Commission, the receiver will issue notes to the respective creditors for the face value of their claims aggregating \$14,040.67. The notes so issued are to be paid at the rate of \$1000 per month, beginning April 1, 1920, the payments to be prorated among the holders of the notes in proportion to the face value of their respective notes. The testimony further shows that the plaintiff in the foreclosure suit has agreed to dismiss the action as soon as the proposed notes in favor of unsecured creditors are paid.

O R D E R

Charles G. Patrick, receiver of the properties of Imperial Utilities Corporation, having applied to the Railroad

Commission for permission to issue notes in the amount of \$14,040.67, a public hearing having been held and the Railroad Commission being of the opinion that the money, property or labor to be procured by such issue is reasonably required by applicant and that this application should be granted subject to the conditions of this order:

IT IS HEREBY ORDERED that Charles G. Patrick, receiver of the properties of Imperial Utilities Corporation, be, and he is hereby authorized to issue not exceeding \$14,040.67 face value of unsecured notes with interest at the rate of 7 percent per annum from December 2, 1919, for the purpose of paying or refunding the claims of creditors, the principal amounts and payees of said notes to be as shown on schedule attached hereto, said notes to be payable in monthly installments commencing the first day of April, 1920, aggregating \$1000 per month, and prorated among the respective creditors in proportion to the claims of each, provided -

1. That the authority herein granted will not become effective until applicant has paid the fee prescribed in the Public Utilities Act nor until the issue of such notes has been authorized by the Superior Court of San Bernardino County.

2. That Charles G. Patrick or Imperial Utilities Corporation shall keep such record of the issue and sale of the notes herein authorized and of the disposition of the proceeds as will enable him or it to file on or before the 25th day of each month a verified report as required by the Railroad Commission's General Order No. 24, which order, in so far as applicable, is made a part of this Order.

3. That the authority herein granted will apply only to such of said notes as may be issued on or before

July 1, 1920.

Dated at San Francisco, California, this

2^d day of March, 1920.

Edwin O. Edgerton

H. L. Poland

Frank R. Wm.

H. B. Roundup

Jawing Martin
Commissioners.

Railroad Commission State of California
J. P. Matthews
MAR 3 1920
J. P. Matthews
BY Assistant Secretary.

Schedule of notes authorized by Order in
Application No. 5265.

<u>Payee</u>	<u>Amount</u>
Acme White Lead and Color Works	\$ 12.52
Adams Pipe Works,	832.50
American Pump Company,	29.18
A.T. & S.F. Railroad Co.	194.13
Barker Bros.	114.54
Barstow Garage,	115.23
Barstow Printer,	4.00
W. W. Brison,	40.00
The Bristol Company,	45.38
Louis S. Brown Co., Inc.	14.52
Buffalo Meter Company,	17.10
Calipatria Garage,	10.15
Collins & Webb, Inc.	76.35
Crane Company,	1,409.48
R. M. Dillingham,	100.25
Dunham, Carrigan & Hayden Co.	31.70
Edgar Bros. Co.	16.10
Fairbanks, Morse & Co.	23.13
Adolf Frese Optical Co.,	28.00
The Garlock Packing Co.	12.39
C. M. Gay & Son,	140.67
General Electric Company,	172.90
Golden State Portland Cement Co.	579.97
R. G. Hillman,	21.95
Hoyt, Bibbons, French & Henley and Hoyt, Norcross, Thatcher, Woodburn & Henley	350.00
Hammond Lumber Company,	271.95
Haskins & Sells,	543.00

<u>Payee</u>	<u>Amount</u>
Hersey Mfg. Co.,	\$258.64
Holton Power Co.	101.26
Interstate Telephone & Telegraph Co.	37.70
Imperial Valley Hardware Co.	122.66
Imperial Water Company No. 3,	120.44
International Electric Company,	185.50
International Sales Company,	51.84
T. A. Johnson	15.00
Layne & Bowler Corporation	10.48
A. V. Linkletter,	3.60
Los Angeles Rubber Company	11.75
Luttwieler Pumping Engine Co.	313.09
Mellus Bros. & Co.	2.51
Motor Securities Company	67.62
H. Mueller Mfg. Co.	453.60
Neptune Meter Company,	650.16
Nelson & Price, Inc.	84.55
Olsen Lumber Company	15.45
Pacific Mill & Mine Supply Co.	2.97
Pacific Ammonia & Chemical Co.	315.00
Pacific Telephone & Telegraph Co.	18.90
Parker Iron Works,	354.18
Patten & Davies Lumber Co.	158.64
Puckett's Ford Agency	20.64
Ramona Acres Progress	15.00
The Santa Fe Magazine	40.00
Southern California Edison Co.	483.04
The Southern Sierras Power Co.,	1,826.62
Standard Oil Company,	260.60
Southern Pacific Company	5.00

Simpson & Noffsinger	\$ 9.61
Tarr & McComb	1,929.57
Thomson Meter Company	6.61
The Tire Shop	12.00
Union Hardware & Metal Co.	311.31
Union Oil Company of Cal.	165.48
Warren & Bailey	62.89
Watkins & Nutbrown	7.05
Western Pipe & Steel Co.	28.71
Western Wholesale Drug Co.	38.00
Wheeler Bros. & Pierce, Inc.	207.19
E. L. White	20.10
Wilgus Mfg. Co.	14.56
Chas. W. Winter	4.80
The Worthington Co. Inc.	<u>9.26</u>
	\$14,040.67